

**REMARKS/ARGUMENTS**

Claims 1-11 stand in the present application, claims 10 and 11 having been amended. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the Office Action, the Examiner has rejected claim 11 under 35 U.S.C. § 101 because the claimed invention is alleged to be directed to non-statutory subject matter. As noted above, Applicant has amended claim 11 in order to correct the technical deficiency pointed out by the Examiner. Accordingly, claim 11 as amended is believed to overcome the Examiner's § 101 rejection.

The Examiner has rejected claims 1-3 and 5-11 under 35 U.S.C. § 102(e) as being anticipated by Karino and has rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Karino in view of O'Neill. Applicant respectfully traverses the Examiner's §§ 102 and 103 rejections of the claims.

Claim 1 recites, inter alia, the steps of:

installing, in said intermediate packet nodes, first routing data defining a first routing path in one direction along said chain to a mobile node via said first access node and second routing data defining a second routing path in the opposite direction along said chain to said mobile node via said second access node;

operating each of said intermediate packet nodes to:

determine, on receipt of a packet destined for said mobile node, whether said packet is from another node on said chain or not; and

a) if the packet is determined to be from a node not on said chain, copying the packet and routing said copy along one of said routing paths and routing said packet along the other of said routing paths; and

b) if the packet is determined to be from another node on said chain, route said packet along said chain only in the direction in which it is currently travelling.

See Claim 1 (emphasis supplied). Karino discloses no such method or limitations.

While the teaching of Karino is directed to the same general field as the present invention it provides a different solution to the problem of delivering data to a mobile host in a reliable manner but without causing a deleterious effect on the efficiency of a communications network through the delivery of multiple streams of data to different base stations, one of which the mobile host will be connected to.

The Examiner refers to the fourth embodiment disclosed by Karino which is described at column 29 line 52 to column 34 line 6, with reference to Figures 16 and 17. This embodiment of Karino is intended to bicast data intended for the mobile host (MH) to base station 2 (BS2) & base station 3 (BS3) such that in the event that the MH moves from the radio area associated with BS2 to the radio area associated with BS3. As can be seen from the paragraph bridging columns 30 and 31, the router R2 is selected as a branching point as it is able to directly address both BS2 and BS3. Thus, when a packet is received from the host network it will be routed to router R2 and then bicast to both BS2 and BS3.

Such a routing is shown in Figure 17 and described in the last paragraph of column 31 and the first paragraph of column 32. Karino does not disclose the determination of "whether said packet is from another node on said chain or not" – merely that if a packet for the MH is received from the host network 1 at the branching point R2 then it will be bicast from R2 to both BS2 and BS3. Neither R4 nor R5 will determine the origination of the packet but will follow their routing information in that R4

routes data from R2 to BS2 and R5 routes data from R2 to BS3. Therefore it is immediately and unambiguously apparent that Karino fails to teach or suggest the present claims, merely a disclosure that, for one particular set of parameters, appears to be similar to that of the present invention.

Consider that the network shown in Figure 17 has a direct connection between R5 and R6 and that a packet is received from R6 at R5. According to the teaching of Karino, R5 will forward the packet to the branching point R2. R2 will then bicast the data with one packet stream being sent to BS2 via R4 and one packet stream being sent to BS3 via R5.

However, according to Applicant's claimed invention, as the packet is received from a node not on the chain, R5 will copy the packet and send one of the packets directly to BS3 and the other packet to BS2 along the other direction along the chain, i.e., via R2-R4-BS2. Therefore, it can be seen that the method of claim 1 differs from and is more effective than that of Karino.

In summary, Karino does not disclose the method of the present invention, in that it fails to teach or suggest the more efficient routing technique recited in the present claims. Accordingly, claim 1 and its dependent claims patentably define over Karino. Independent claim 9 corresponds to independent claim 1 and, therefore, together with its dependent claim 10 patentably defines over Karino for the same reasons given above with respect to independent claim 1.

In rejecting dependent claim 4, the Examiner applied the O'Neill reference in combination with Karino. Claim 4 is allowable by virtue of its dependency from

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allowable claim 1 and, therefore, Applicant believes it unnecessary to further discuss O'Neill.


Finally, the dependency of claim 10 has been corrected to depend from claim 9.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-11, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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